

ORDINANCE NO. 09- 334

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 9.24 OF THE LOS ALTOS MUNICIPAL CODE PERTAINING TO PUBLIC PARK HOURS.

WHEREAS, the City Council recognizes the social, cultural and economic enrichment that public parks bring to the City and its residents; and

WHEREAS, the City Council recognizes that public parks enhance the City's lifestyle and provide benefits to the City and its residents; and

WHEREAS, the City Council finds that it is necessary to establish policies and procedures which allow for the advance planning and management of public parks; and

WHEREAS, the City Council finds that it is necessary for the protection and preservation of public parks to prohibit certain uses within public parks; and

WHEREAS, the City Council finds that it is the intent of this ordinance to protect the rights of its residents by establishing the least restrictive and most reasonable manner of regulation of public parks; and

WHEREAS, the ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), and the guidelines promulgated thereunder and, further, said Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations. The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Section 9.24.010 of Chapter 9.24 is hereby repealed in its entirety and a new Section 9.24.010 is added to read as follows:

"9.24.010 Park hours.

A. All public parks within the city shall be closed and unavailable for any public use between the hours of 9:00 p.m. of one day and 6:00 a.m. of the succeeding day. The McKenzie Park Tennis Courts are an exception to this rule and shall be closed and unavailable for any public use between the hours of 10:00 p.m. of one day and 6:00 a.m. of the succeeding day."

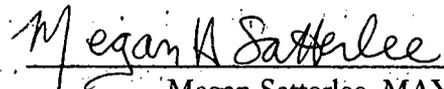
SECTION 2. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

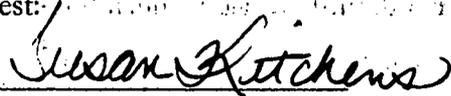
SECTION 3. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon the commencement of the thirty-first day following the date the adopted ordinance is attested by the City Clerk.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on February 24, 2009 and was thereafter, at a regular meeting held on March 10, 2009 passed and adopted by the following vote:

Ayes: PACKARD, CARPENTER, CASAS, BECKER, SATTERLEE
Noes: NONE
Absent: NONE


Megan Satterlee, MAYOR

Attest:

Susan Kitchens, CITY CLERK

Date: March 10, 2009